

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
RICHMOND DIVISION**

CODEMASTERS GROUP HOLDINGS)
LIMITED)

Plaintiff,)

v.)

SOUTHPEAK INTERACTIVE CORPORATION)

Defendant.)
_____)

Civil Action No. 3:11-cv-068

**MEMORANDUM OF LAW IN SUPPORT OF MOTION FOR EXTENSION OF TIME
TO FILE RESPONSIVE PLEADINGS**

Pursuant to Rule 6(b) of the Federal Rules of Civil Procedure, Defendant Southpeak Interactive Corporation (“Southpeak”), by counsel, provides the following in support of its Motion for Extension of Time to File Responsive Pleadings:

1. Under Rule 6(b), the court may extend the time for filing responsive pleadings with or without motion before the original time expires as long as good cause is shown. Fed. R. Civ. P. 6(b).

2. On January 26, 2011, Plaintiff Codemasters Group Holdings Limited (“Codemasters”) filed suit against Southpeak alleging breach of contract.

3. The Complaint was served on Southpeak on February 1, 2011. Accordingly, Southpeak’s responsive pleadings are presently due on or before February 22, 2011, which deadline has not expired.

4. Counsel was only recently retained by Southpeak, on February 15, 2011, and requires additional time to confer with Southpeak, investigate the allegations, and prepare an appropriate response.

5. Additionally, Southpeak has attempted to communicate with Codemasters via telephone and email to determine if this matter can be resolved.

6. Counsel for Southpeak contacted opposing counsel to request Codemasters' consent to an extension on such grounds, which request was refused.

7. A brief extension of the deadline may permit the parties to engage in meaningful discussion aimed at resolving all or part of the issues raised in the Complaint.

8. Accordingly, Southpeak wishes to extend the deadline to file its responsive pleadings by thirty (30) days, to March 24, 2011, in accordance with the proposed order which is filed contemporaneously with SouthPeak's Motion

Respectfully submitted,

SOUTHPEAK INTERACTIVE
CORPORATION

By : _____/s/
William R. Poynter
Virginia State Bar No. 48672
Counsel for Defendant
WILLIAMS MULLEN
222 Central Park Avenue, Suite 1700
Virginia Beach, VA 23462
Telephone: (757) 499-8800
Facsimile: (757) 473-0395
bpoynter@williamsmullen.com

CERTIFICATE OF SERVICE

I hereby certify that on the 18th day of February, 2011, I electronically filed the foregoing Memorandum of Law in Support of its Motion for Extension of Time To File Responsive Pleadings with the Clerk of Court using the CM/ECF system, which will send a notification of such filing (NEF) to the following:

Brandon H. Elledge
HOLLAND & KNIGHT LLP
Counsel for Plaintiff
1600 Tysons Boulevard, Suite 700
McLean, Virginia 22102
Telephone: (703) 720-8015
Facsimile: (703) 720-8610
brandon.elledge@hklaw.com

and also served a copy, along with a copy of the notification of such filing (NEF), via electronic mail, to the following non-filing user:

John M. Toriello
Christine Tramontano
HOLLAND & KNIGHT LLP
Counsel for Plaintiff
31 West 52nd Street
New York, New York 10059
Telephone: (212) 513-3200
Facsimile: (212) 385-9010
john.toriello@hklaw.com
christine.tramontano@hklaw.com

By: _____/s/_____
William R. Poynter
Virginia State Bar No. 48672
Counsel for Defendant
WILLIAMS MULLEN
222 Central Park Avenue, Suite 1700
Virginia Beach, VA 23462
Telephone: (757) 499-8800
Facsimile: (757) 473-0395
bpoynter@williamsmullen.com